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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/584,195

06/23/2006

Dietmar Baumann

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2119 7590 09/16/2008
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EXAMINER

TORRES WILLIAMS, MELANIE

ART UNIT

PAPER NUMBER

3683

MAIL DATE

DELIVERY MODE

09/16/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/584,195	Applicant(s) BAUMANN ET AL.	
	Examiner MELANIE TORRES	Art Unit 3683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16-21, 24-26 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Douglas.

Douglas discloses a self-boosting friction brake (14), comprising a friction brake lining, an actuation device with which the friction brake lining (2) can be pressed for braking against a brake body to be braked, a ramp mechanism (33) that extends at an angle to the brake body and that braces the friction brake lining on being pressed against the brake body, the friction brake lining being supported displaceably on the ramp mechanism by roller bodies, and a positive controller (81) for the roller bodies, which prevents the roller bodies from leaving their raceways. (Figures 3, 5)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16-19 and 22-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chase in view of Chase.

Chase teaches a self-boosting friction brake , comprising a friction brake lining, an actuation device with which the friction brake lining can be pressed for braking against a brake body to be braked, a ramp mechanism (Figure 2) that extends at an angle to the brake body and that braces the friction brake lining on being pressed against the brake body, the friction brake lining being supported displaceably on the ramp mechanism by roller bodies, and a positive controller (26) for the roller bodies, which prevents the roller bodies from leaving their raceways. (Figures 2) Chase does not teach an electromechanical actuation device. The examiner takes official notice that electrical actuation via a motor is known for lever actuated brake assemblies.

Re claims 26-29, the examiner takes official notice that rollers are often used in place of balls as rolling elements.

5. Claims 16, 17, 19, 20, 21, 24, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montalvo, Sr.

Montalvo, Sr. teaches a self-boosting friction brake (19), comprising a friction brake lining, an actuation device with which the friction brake lining can be pressed for braking against a brake body to be braked, a ramp mechanism (14, 55) that extends at an angle to the brake body and that braces the friction brake lining on being pressed against the brake body, the friction brake lining being supported displaceably on the ramp mechanism by roller bodies, and a positive controller (81) for the roller bodies, which prevents the roller bodies from leaving their raceways. (Figures 2, 5-8) Montalvo, Sr. does not teach an electromechanical actuation device. Montalvo, Sr. discloses wherein the actuation of the air pressure can be controlled by a regulator

valve (column 6, lines 24-25). The examiner takes official notice that regulator valves are known to be electrically actuated.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Baumann et al. teach a similar friction brake.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELANIE TORRES whose telephone number is (571)272-7127. The examiner can normally be reached on Monday (6AM - 4:30PM), and Tuesday (6AM-12PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Siconolfi can be reached on 571-272-3600. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MT
July 15, 2008

/Melanie Torres/
Primary Examiner, Art Unit 3683